



PATENT CASE NAME/No. 283-205.03CON

2876
Response
#3
10/15/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Parker et al.

Serial No: 09/746,192

Filing Date: 12/21/2000

Title: REPROGRAMMABLE
OPTICAL READER

October 3, 2002

Group Art Unit: 2876

Examiner: Le, Thien Minh

RESPONSE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Assistant Commissioner for Patents, Washington D.C. 20231, on October 3, 2002.

Tammy S. Senechal
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Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated 7/03/02, designated as Paper No. 2 in the above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 1-45 remain in this application.

1. § 102 Rejections

The Examiner has rejected claims 1, 2, 16, 19, 34, and 44 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,825,058 to Poland, U.S. Patent No. 4,899,977 to Haydon, and by U.S. Patent No. 4,861,972 to Elliott et al. [hereinafter Elliott]. The applicants respectfully traverse these rejections because the Examiner has failed to make a prima facie case of anticipation since the cited art does not teach every element of the claimed invention.

Claim 1 is directed to an optical reader for scanning and decoding at least one optically encoded symbol. The optical reader includes a program loading component operative to store an externally generated program in the optical reader. A program execution